

**10/501962****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re United States Patent Application of:</b>	)	<b>Docket No.:</b>	<b>4121-170</b>
<b>Applicant:</b>	)	<b>Examiner:</b>	<b>Not Yet Assigned</b>
<b>Application No.:</b>	)	<b>Art Unit:</b>	<b>Not Yet Assigned</b>
<b>Int'l Filing Date:</b>	)	<b>Confirmation No.:</b>	<b>8435</b>
<b>Priority Date:</b>	)	<b>Customer No.:</b>	<b>23448</b>
<b>Title:</b>	)		
<b>CONJUGATE FOR TREATING</b>	)		
<b>PROKARYOTIC INFECTIONS</b>	)		

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.



Candace White

December 20, 2004

Date

EO 003 518 973 US

Express Mail Label Number

**RESPONSE TO OCTOBER 18, 2004 NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES IN U.S. PATENT APPLICATION NO. 09/860,200**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the October 18, 2004 Notice to Comply with Requirements in the above-identified application, enclosed herewith are:

- (1) a paper copy of the document entitled "170 Sequence Listing.ST25" ("Sequence Listing");

- (2) a computer readable copy of the Sequence Listing;
- (3) a statement under 37 C.F.R. §1.821 (f) for the Sequence Listing; and
- (4) a return copy of the October 18, 2004 Notice to Comply with Requirements for this application.

**CONCLUSION**

The enclosed sequence listings place the application in form for examination upon entry of same. Please charge any additional fee or amount properly payable in connection with this Response to File Missing Parts, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,



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**Attorney File: 4121-170**



## UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED Page 1 of 2  
OCT 22 2004UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.

10/501,962

FIRST NAMED APPLICANT

Klaus Braun

ATTY. DOCKET NO.

4121-170

INTERNATIONAL APPLICATION NO.

PCT/DE03/00124

I.A. FILING DATE

01/17/2003

PRIORITY DATE

01/18/2002

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CONFIRMATION NO. 8435

371 FORMALITIES LETTER



\*OC000000014107477\*

Date Mailed: 10/18/2004

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,962	PCT/DE03/00124	4121-170

FORM PCT/DO/EO/922 (371 Formalities Notice)